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**From:** Harner, Walter [wharner@pa.gov]  
**Sent:** 3/15/2018 7:49:39 PM  
**To:** daw, harry [daw.harry@epa.gov]  
**CC:** Tarquino Morris, Ali [altarquino@pa.gov]  
**Subject:** RE: E-mail to Walt - PCBs

How about Monday at 8:30?

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**From:** daw, harry [mailto:daw.harry@epa.gov]  
**Sent:** Thursday, March 15, 2018 3:20 PM  
**To:** Harner, Walter <wharner@pa.gov>  
**Subject:** RE: E-mail to Walt - PCBs

Walt,

Hope all is well.

DO you have time to take today, tomorrow or Monday about the beneficial use issue. I want to give you a heads up on our status. Let me know when it would be convenient for me to call.

Thx

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**From:** Harner, Walter [mailto:wharner@pa.gov]  
**Sent:** Wednesday, December 13, 2017 8:06 AM  
**To:** daw, harry <daw.harry@epa.gov>  
**Cc:** Pratt, Stacie <Pratt.Stacie@epa.gov>; Bunker, Kelly <Bunker.Kelly@epa.gov>; Jamieson, Cheryl <Jamieson.Cheryl@epa.gov>; Tarquino Morris, Ali <altarquino@pa.gov>  
**Subject:** RE: E-mail to Walt - PCBs

Harry,

We are still working on the Management of Fill Policy with a revised completion date of spring 2018.

# Deliberative Process / Ex. 5

**Walt Harner** | Director  
Department of Environmental Protection | Bureau of Waste Management  
Rachel Carson State Office Building  
400 Market St. | Hbg PA 17101  
Phone: 717.787.9870 | Fax: 717.787.1904  
[www.dep.pa.gov](http://www.dep.pa.gov)

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**From:** daw, harry [<mailto:daw.harry@epa.gov>]  
**Sent:** Tuesday, December 12, 2017 5:21 PM  
**To:** Harner, Walter <[wharner@pa.gov](mailto:wharner@pa.gov)>  
**Cc:** Pratt, Stacie <[Pratt.Stacie@epa.gov](mailto:Pratt.Stacie@epa.gov)>; Bunker, Kelly <[Bunker.Kelly@epa.gov](mailto:Bunker.Kelly@epa.gov)>; Jamieson, Cheryl <[Jamieson.Cheryl@epa.gov](mailto:Jamieson.Cheryl@epa.gov)>  
**Subject:** RE: E-mail to Walt - PCBs

Walt,  
I hope this holiday season finds you well.

It's been awhile since our last communication and I'm just checking in to determine whether PA DEP modified the language for its Clean fill policy and Beneficial Reuse Permits yet? We were unsure whether the end of the year meant calendar or fiscal year. If you have done so can you send us the revised documents? Thanks much.

Sincerely,

Harry T. Daw  
Associate Division Director  
Land and Chemicals Division  
Office of Toxics and Pesticides  
U.S. Environmental Protection Agency – Region III  
1650 Arch Street – Mailcode 3LC40  
Philadelphia, PA 19103-2029  
215-814-3244 – Office  
267-639-0913-Cell  
[daw.harry@epa.gov](mailto:daw.harry@epa.gov)

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**From:** Harner, Walter [<mailto:wharner@pa.gov>]  
**Sent:** Monday, March 27, 2017 2:30 PM  
**To:** daw, harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Cc:** Tarquino Morris, Ali <[altarquino@pa.gov](mailto:altarquino@pa.gov)>; Bunker, Kelly <[Bunker.Kelly@epa.gov](mailto:Bunker.Kelly@epa.gov)>; Pratt, Stacie <[Pratt.Stacie@epa.gov](mailto:Pratt.Stacie@epa.gov)>; Jamieson, Cheryl <[Jamieson.Cheryl@epa.gov](mailto:Jamieson.Cheryl@epa.gov)>  
**Subject:** RE: E-mail to Walt - PCBs

Harry,

With regard to your question about how long the process will take to apply the language to the permit and policy, we will be modifying form FP-001 now that we have the resource account information. Our goal for the Management of Fill Policy (MoFP) is to have it published as draft in the PA Bulletin in the 4<sup>th</sup> quarter of this year, at which time we will amend it to address the TSCA issue. Amendments to the 096 permit are in our queue of permit amendments and the goal is to have a draft ready for public comment in a month or two.

# Deliberative Process / Ex. 5

**Walt Harner** | Director  
Department of Environmental Protection | Bureau of Waste Management  
Rachel Carson State Office Building  
400 Market St. | Hbg PA 17101  
Phone: 717.787.9870 | Fax: 717.787.1904  
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**From:** daw, harry [<mailto:daw.harry@epa.gov>]  
**Sent:** Monday, March 27, 2017 11:53 AM  
**To:** Harner, Walter <[wharner@pa.gov](mailto:wharner@pa.gov)>  
**Cc:** Tarquino Morris, Ali <[altarquino@pa.gov](mailto:altarquino@pa.gov)>; Bunker, Kelly <[Bunker.Kelly@epa.gov](mailto:Bunker.Kelly@epa.gov)>; Pratt, Stacie <[Pratt.Stacie@epa.gov](mailto:Pratt.Stacie@epa.gov)>; Jamieson, Cheryl <[jamieson.Cheryl@epa.gov](mailto:jamieson.Cheryl@epa.gov)>  
**Subject:** FW: E-mail to Walt - PCBs

Walt,

Below you will find some suggested language for footnotes for use in the beneficial use permit and the clean fill policies:

Beneficial Use Policy Language:

**Deliberative Process / Ex. 5**

Clean Fill Policy Language:

**Deliberative Process / Ex. 5**

Could you give us an idea of the how long the process will take before this language becomes finalized in the permit and policy? Also, once these documents are final, could you also provide us a copy?

**Deliberative Process / Ex. 5**

Sincerely,

Harry T. Daw, Associate Division Director  
Land and Chemicals Division

Office of Toxics and Pesticides [3LC40]  
U.S. Environmental Protection Agency - Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029  
215-814-3244 - Office  
267-639-0913 - Mobile  
[daw.harry@epa.gov](mailto:daw.harry@epa.gov)

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**From:** Pratt, Stacie  
**Sent:** Friday, March 24, 2017 5:06 PM  
**To:** daw, harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Cc:** Bunker, Kelly <[Bunker.Kelly@epa.gov](mailto:Bunker.Kelly@epa.gov)>; Jamieson, Cheryl <[Jamieson.Cheryl@epa.gov](mailto:Jamieson.Cheryl@epa.gov)>  
**Subject:** Re: E-mail to Walt - PCBs

Hi Harry. For the sake of efficiency, I pulled together all the language from Kelly for the email to Walt. As mentioned, please cc Ali as well.

Please see below.

Thanks!

Hi Harry. Could you please send the following e-mail to Walt at PADEP? I believe that Ali from PADEP has also been cced on messages. Her e-mail is this: [altarquino@pa.gov](mailto:altarquino@pa.gov)

Thanks.

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Hi Walt. As discussed, here is some suggested language for the beneficial use permit and the clean fill policy. Could you give us an idea of the how long the process will take before this language becomes finalized in the permit and policy? Also, once these documents are final, could you also provide us a copy?

Finally, we would like to request that PADEP notify EPA each time a notification is received under the Beneficial Use Permit or the Clean Fill Policy when a site is receiving soils or other materials containing PCBs at 2 ppm or greater. PADEP could use the same mailbox listed above to notify us.

Thanks in advance.

Beneficial Use Policy Language:

Compliance with the polychlorinated biphenyl (PCB) levels set forth in this Pennsylvania General Permit for Processing/Beneficial Use Municipal Waste do not assure compliance with the federal PCB requirements of the Toxic Substances and Control Act, 15 U.S.C. Section 2601 *et seq.* and 40 C.F.R. Part 761. Contact the EPA Region 3 PCB Coordinator at [R3\\_PCB\\_Coor@epa.gov](mailto:R3_PCB_Coor@epa.gov) to determine the allowable PCB level for your site and situation.

Clean Fill Policy Language:

Compliance with the polychlorinated biphenyl (PCB) levels set forth in this Clean Fill Policy do not assure compliance with the federal PCB requirements of the Toxic Substances and Control Act, 15 U.S.C. Section 2601 *et seq.* and 40 C.F.R. Part 761. Contact the EPA Region 3 PCB Coordinator at [R3\\_PCB\\_Coor@epa.gov](mailto:R3_PCB_Coor@epa.gov) to determine the allowable PCB level for your site and situation.

Stacie Pratt, Branch Chief  
Toxics Program Branch – 3LC41  
Office of Toxics and Pesticides, Land & Chemicals Division  
EPA Region 3  
1650 Arch Street  
Philadelphia, PA 19103  
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